

**IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA
BIRMINGHAM DIVISION**

| | | |
|---|---|---------------------------------|
| GMAC MORTGAGE LLC, |) | |
| successor by reason of merger with |) | |
| GMAC Mortgage Corporation, |) | |
| |) | |
| Plaintiff, |) | |
| v. |) | |
| |) | CASE NO.: CV-2009-902322 |
| DERRIUS E. SILMON |) | |
| GARY SILMON |) | |
| EVA SILMON |) | |
| |) | |
| Defendants/Counter-Plaintiffs, |) | |
| |) | |

NOTICE OF STIPULATION AND CONSENT ORDER

Plaintiff/Counterclaim Defendant and debtor GMAC Mortgage, LLC files this Notice of Stipulation and Consent Order, alerting the Court to the *Stipulation and Consent Order Regarding Relief from Automatic Stay to Allow State Court Action to Proceed* (“Stipulation and Consent Order”) entered on October 18, 2012 by the Hon. Martin Glenn, United States Bankruptcy Judge, in *In re: Residential Capital, LLC, et. al.*, Case No. 12-12020, United States Bankruptcy Court, Southern District of New York. A copy of the *Stipulation and Consent Order* is attached as Exhibit A.

Pursuant to the *Stipulation and Consent Order*, the October 22, 2012 hearing on GMAC’s pending motion for summary judgment is allowed to proceed.

Respectfully submitted this 18th day of October, 2012

s/ Jon H. Patterson

Jon H. Patterson (PAT066)

Blake B. Goodsell (GOO054)

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ATTORNEYS FOR PLAINTIFF/COUNTERCLAIM

DEFENDANT GMAC MORTGAGE, LLC

CERTIFICATE OF SERVICE

I hereby certify that the foregoing has been filed via Alacourt on October 18, 2012 and a copy shall be sent to the undersigned via Alacourt e-file system:

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s/ Jon H. Patterson

OF COUNSEL